



O'Melveny & Myers LLP
Times Square Tower
7 Times Square
New York, NY 10036-6537

T: +1 212 326 2000
F: +1 212 326 2061
omm.com

File Number:

December 5, 2022

Abby F. Rudzin
D: +1 212 326 2033
arudzin@omm.com

VIA ECF

The Honorable Lorna G. Schofield
U.S. District Court for the Southern District of New York
40 Foley Square
New York, NY 10007

**Re: *Harrington Global Opportunity Fund, Limited v. CIBC World Markets Corp., et al.,*
*1:21-cv-00761-LGS (S.D.N.Y.)***

Dear Judge Schofield:

We write on behalf of all parties in the above-referenced action. We submit this joint status letter, as ordered by the Court (Dkt. 102) and outlined in the Court's Individual Rule IV.A.2.

As ordered by the Court (Dkt. 107), the parties served their Initial Disclosures on April 11, 2022. The parties served their respective responses and objections to these initial discovery requests on June 6, 2022. The parties have completed document discovery. The Merrill Defendants and TD Defendants each served on Plaintiff requests to admit on November 15, 2022. The parties met and conferred on a schedule for expert discovery on November 15, 2022. The parties will operate in good faith to ensure that any discovery disputes are resolved efficiently to ensure that we meet any Court-ordered discovery deadlines.

As ordered by the Court (Dkt. 128), the parties will submit to the Court by December 9, 2022, a stipulation and proposed order setting forth a schedule for Plaintiff to file a second amended complaint and briefing on Defendants' motion to dismiss in accordance with the Court's Individual Rule III.B.4. In a separate letter, the parties will explain why a stay of discovery would be more efficient than completing fact discovery prior to filing a motion to dismiss.



Respectfully submitted,

/s/ Abby F. Rudzin

Abby F. Rudzin
William J. Martin
O'MELVENY & MEYERS LLP
Seven Times Square
New York, NY 10026
(212) 326-2000
arudzin@omm.com
wmartin@omm.com

*Counsel for Defendants BofA Securities, Inc.
and Merrill Lynch Canada, Inc.*

/s/ Jamie S. Dycus (e-signed with consent)

Jamie S. Dycus
David Lesser
KING & SPALDING LLP
1185 Avenue of the Americas
34th Floor
New York, NY 10036
(212) 556-2100
jdycus@kslaw.com

*Counsel for Defendants TD Securities, Inc.,
and TD Securities (USA) LLC*

/s/ Sandra D. Hauser (e-signed with
consent)

Sandra D. Hauser
DENTONS US LLP
1221 Avenue of the Americas
New York, NY 10020
(212) 768-6802
sandra.hauser@dentons.com

Stephen J. Senderowitz
233 South Wacker Drive, Suite 5900
Chicago, IL 60606
(312) 876-8141
stephen.senderowitz@dentons.com

*Counsel for Defendants CIBC World
Markets Corp. and CIBC World Markets Inc.*

/s/ Alan M. Pollack (e-signed with consent)

Alan M. Pollack
Felicia S. Ennis
Leron Thumim
WARSHAW BURSTEIN, LLP
575 Lexington Avenue, 7th Floor
New York, New York 10022
(212) 984-7700
apollack@wbny.com
fennis@wbny.com
lthumim@wbny.com

/s/ James Wes Christian (e-signed with
consent)

James Wes Christian, Esq.
Ardalan Attar, Esq.
CHRISTIAN LEVINE LAW GROUP, LLC
2302 Fannin, Suite 205
Houston, Texas 77002
(713) 659-7617
jchristian@christianlevinelaw.com
aattar@christianlevinelaw.com

*Counsel for Plaintiff Harrington Global
Opportunity Fund*